

UNITED STATES DISTRICT COURT

for the

Eastern District of Oklahoma

United States of America

v.

RICKY SCOTT, JR.

Date of Previous Judgment: July 5, 2006

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: CR-06-00001-002-RAW

) USM No: 04456-063

) pro se

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 155 months **is reduced to** 137 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 33

Criminal History Category: VI

Previous Guideline Range: 235 to 293 months

Amended Offense Level: 31

Criminal History Category: VI

Amended Guideline Range: 188 to 235 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS


The defendant's motion for a hearing is denied. The Court finds that the provisions of the *Booker* decision are not applicable in this case.

Except as provided above, all provisions of the judgment dated July 5, 2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: 04/02/08

Effective Date: _____
(if different from order date)


Ronald A. White
United States District Judge
Eastern District of Oklahoma